S.B.Civil Misc. Application No.54/2006
In
S.B.Civil Writ Petition No.4919/2005

Date of order : March 15, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr. S.K.Vyas, G.A. for the applicants.
Mr.H.S.Sidhu, for the respondent-workman.

By the instant application under Article 226 of the Constitution of India, the applicants seek recalling/reviewing the order of this Court dt. 12.9.2005 passed in S.B.Civil Writ Petition No.4919/2005, whereby the writ petition was allowed with a direction to the respondents, who are applicants herein, to implement the award dt. 29.1.2003 (Annexure-P/1) in the writ petition within a period of one month from the date of submitting the certified copy of the order.

I have heard learned counsel for the parties.

Mr.S.K.Vyas, learned counsel for the applicants, respondents in the writ petition submits that the writ petition has been decided without reply being filed by the employer-applicants. It appears that the writ petition was allowed after hearing both the learned counsel for the parties. It nowhere

appears that any opportunity was sought to file the reply by the applicants, who are respondents in the writ petition. It is not the case that the opportunity was sought and was declined by the Court. It nowhere appears that the applicants were intended to file the reply to the writ petition and the matter was heard in absence of the reply as no such reply was filed. In my view, there is no good ground to recall or review of the order for the lapses of the party in not filing the reply.

The application has no force and the same is, therefore, dismissed.

(H.R.PANWAR),J.

m.asif/-